EXHIBIT 10 Exhibit A to WSOU's Aug. 5, 2021 Disclosure of Preliminary Claim Constructions

EXHIBIT A

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 3 of 33

PLAINTIFF WSOU'S PROPOSED PRELIMINARY CLAIM CONSTRUCTIONS

	U.S. Patent No. 7,577,103			
No.	Terms	Claims	WSOU's Preliminary Proposed	
			Claim Constructions and Extrinsic Evidence ¹	
	None	N/A	N/A	

	U.S. Patent No. 7,885,398			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	
1.	route	1, 10 and 13	No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • IBM Dictionary of Computing at WSOU-NEC-0001872 • The IEEE Standard Dictionary of Electrical and Electronic Terms at WSOU-NEC-0001876 • The Merriam-Webster Dictionary at WSOU-NEC-0001880 • Dictionary of Computing (6 th Edition) at WSOU-NEC-0001890 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.	

¹ WSOU reserves the right to rely upon any extrinsic evidence identified by NEC, including additional portions of documents cited by NEC for, among other things, completeness, explanation, and/or rebuttal. These disclosures provided herein are based on WSOU's investigation to date, and WSOU reserves the right to rely on additional extrinsic evidence as the case(s) proceed. WSOU further reserves the right to rely upon any deposition testimony given or any declarations served or filed with any claim construction briefs.

1

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 4 of 33

			U.S. Patent No. 7,885,398
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
2.	load balancing	1, 10 and 13	No construction necessary – plain and ordinary meaning.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 IBM Dictionary of Computing at WSOU-NEC-0001871 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001885
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
3.	service category criterion	1, 10 and 13	This term is not indefinite.
			No construction necessary – plain and ordinary meaning.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 5 of 33

	U.S. Patent No. 7,885,398			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	

			U.S. Patent No. 8,041,017
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
4.	detecting means	8	This term is not indefinite.
			No construction necessary – plain and ordinary meaning.
			Further, to the extent the Court treats the term as means-plus-function:
			Function: detecting that the received first call is an emergency call
			Structure/material/acts: For example, step 102 of Fig. 2, and the corresponding portions of the specification at 9:15-17, node 30 of Fig. 1 and the corresponding portions of the specification at 4:62-5:21 and 5:41-48, and equivalents thereof.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			The IEEE Standard Dictionary of Electrical and Electronic Terms (6 th Edition) at WSOU-NEC-0001919-20
			Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001930
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 6 of 33

	U.S. Patent No. 8,041,017				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
5.	reserving means	8 and 9	This term is not indefinite.		
			No construction necessary – plain and ordinary meaning.		
			Further, to the extent the Court treats the term as means-plus-function:		
			Function: reserving conference facilities in response to the detected emergency call		
			Structure/material/acts: For example, step 112 of Fig. 2, and the corresponding portions of the specification at 9:38-43, node 30 of Fig. 1 and the corresponding portions of the specification at 6:20-29, and equivalents thereof.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			The IEEE Standard Dictionary of Electrical and Electronic Terms (6 th Edition) at WSOU-NEC-0001921		
			Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001931		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention.		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 7 of 33

	U.S. Patent No. 8,041,017				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
6.	connecting means	8 and 9	This term is not indefinite.		
			No construction necessary – plain and ordinary meaning.		
			Further, to the extent the Court treats the term as means-plus-function:		
			Function: connecting the emergency call using the reserved conference facilities to a designated second party that handles emergency calls		
			Structure/material/acts: For example, step 114 of Fig. 2, and the corresponding portions of the specification at 9:43-46, node 30 of Fig. 1 and the corresponding portions of the specification at 6:20-29, and equivalents thereof.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			IBM Dictionary of Computing at WSOU-NEC-0001911-12		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 8 of 33

			U.S. Patent No. 8,041,017
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence WSOU further reserves the right to rely on positions and evidence cited by NEC.
7.	calling means	8 and 9	This term is not indefinite. No construction necessary – plain and ordinary meaning. Further, to the extent the Court treats the term as means-plus-function:
			Function: automatically originating at least one second call associated with the reserved conference facilities from the node over the telecommunications network to at least one predetermined third party that is different than the calling party and the second party Structure/material/acts: For example, steps 116, 118, 120 and 122 of Fig. 2, and the corresponding portions of the specification at 9:47-66, node 30 of Fig. 1 and the corresponding portions of the
			specification at 6:20-7:16, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of
			the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
8.	answer detecting means	10	This term is not indefinite.

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 9 of 33

			U.S. Patent No. 8,041,017
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			No construction necessary – plain and ordinary meaning.
			Further, to the extent the Court treats the term as means-plus-function:
			<u>Function</u> : determining whether or not the third party answers the second call.
			Structure/material/acts: For example, step 120 of Fig. 2, and the corresponding portions of the specification at 9:60-61, node 30 of Fig. 1 and the corresponding portions of the specification at 7:8-:8:55, and equivalents thereof.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 The IEEE Standard Dictionary of Electrical and Electronic Terms (6th Edition) at WSOU-NEC-0001919-20
			 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001930
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.
			WSOU further reserves the right to rely on positions and evidence cited by NEC.

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 10 of 33

	U.S. Patent No. 8,103,213			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	
9.	remote characteristic information	1, 8 and 22	No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.	
10.	local characteristic information	1, 8 and 22	No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.	
11.	at least one of supported communication transport	1, 8, 22, 23, 24,	This term is not indefinite.	

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 11 of 33

	U.S. Patent No. 8,103,213			
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	
	configuration information for the [at least one other] apparatus, power status information for the [at least one other] apparatus, processing load information for the [at least one other] apparatus, communication load information for the [at least one other] apparatus, proximate interference information for the [at least one other] apparatus and user preferences configured in the [at least one other] apparatus	25 and 26	No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.	
12.	power status information	1, 8, 22, 23, 24, 25 and 26	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of	

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 12 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
13.	communication load information for the [at least one other] apparatus	1, 8, 22, 23, 24, 25 and 26	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
14.	proximate interference information for the [at least one other] apparatus	1, 8, 22, 23, 24, 25 and 26	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 13 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
15.	computer program code configured to initiate an inquiry from an apparatus to at least one other apparatus	8	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
16.	computer program code configured to receive remote characteristic information into the apparatus	8	This term is not indefinite. No construction necessary – plain and ordinary meaning.		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 14 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
17.	computer program code configured to determine local characteristic information in the apparatus	8	WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art at of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 15 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
18.	computer program code configured to formulate a configuration in the apparatus	8	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867 • IBM Dictionary of Computing at WSOU-NEC-0001870 • Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 • Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 • Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 • Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
19.	computer program code configured to send the configuration from the apparatus to the at least one other apparatus	8	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 16 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the option of the policy of the property data of the page of the policy of the level of ordinary chill in the level of the level of the level of ordinary chill in the level of the level of the level of ordinary chill in the level of the le
			the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
20.	computer program code configured to implement the configuration in the apparatus	8	This term is not indefinite. No construction necessary – plain and ordinary meaning.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 17 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed
			Claim Constructions and Extrinsic Evidence
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
21.	computer program code configured to establish communication between	8	This term is not indefinite.
	the apparatus and at least one other apparatus in accordance with the configuration		No construction necessary – plain and ordinary meaning.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870
			Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884
			Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889
			Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894
			 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC- 0001899
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 18 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed		
			Claim Constructions and Extrinsic Evidence positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
22.	means for initiating an inquiry from the apparatus to at least one other apparatus	22	This term is not indefinite. Function: initiating an inquiry from an apparatus to at least one other apparatus Structure/material/acts: For example, apparatus A (1300) and process 1 of Fig. 13, and the corresponding portions of the specification at 19:62-20:4, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
23.	means for receiving remote characteristic information into the apparatus	22	This term is not indefinite. Function: receiving remote characteristic information into the apparatus		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 19 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			Structure/material/acts: For example, apparatus A (1300) and process 2 of Fig. 13, and the corresponding portions of the specification at 20:4-24, and equivalents thereof.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
24.	means for determining local characteristic information in the apparatus	22	This term is not indefinite. Function: determining local characteristic information in the apparatus Structure/material/acts: For example, apparatus A (1300) and process 3 of Fig. 13, and the corresponding portions of the specification at 20:25-35, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 20 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
25.	means for formulating a configuration in the apparatus	22	This term is not indefinite. Function: formulating a configuration in the apparatus
			Structure/material/acts: For example, apparatus A and process 4 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, and the corresponding portions of the specification at 17:34-44, 18:4-6, and 20:35-44, and equivalents thereof.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 21 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
26.	means for sending the configuration from the apparatus to the at least	22	This term is not indefinite.
	one other apparatus		Function: sending the configuration from the apparatus to the at least one other apparatus
			Structure/material/acts: For example, apparatus A and process 5 of Fig. 13, and the corresponding portions of the specification at 20:45-48, and equivalents thereof.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 22 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
	s for implementing the guration in the apparatus	22	This term is not indefinite. Function: implementing the configuration in the apparatus Structure/material/acts: For example, apparatus A and process 6 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, and the corresponding portions of the specification at 17:34-44, 18:4-6, and 20:49-53, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867 • IBM Dictionary of Computing at WSOU-NEC-0001870 • Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 • Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 • Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 • Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 23 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
28.	means for establishing communication between the apparatus and at least one other apparatus in accordance with the configuration	22	This term is not indefinite. Function: establishing communication between the apparatus and at least one other apparatus in accordance with the configuration Structure/material/acts: For example, apparatus A and process 8 of Fig. 13, apparatus B of Fig. 13, and the corresponding portions of the specification at 20:53-56, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 24 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed
			Claim Constructions and Extrinsic Evidence positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
29.	computer program code configured to receive wireless communication in an apparatus	24	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.
30.	computer program code configured to, if the wireless communication includes an inquiry requesting characteristic information, determine characteristic information	24	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 25 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
31.	computer program code configured	24	This term is not indefinite.		
31.	to respond to the inquiry, the	24			
	response comprising the characteristic information		No construction necessary – plain and ordinary meaning.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
32.	computer program code configured to receive further wireless	24	This term is not indefinite.		
	communication in the apparatus, the further wireless communication		No construction necessary – plain and ordinary meaning.		
	including a configuration		WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			Dictionary of Computer and Internet Words at WSOU-NEC-0001867		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 26 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
33.	computer program code configured	24	 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. 		
33.	to implement the configuration in the apparatus	24	No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 27 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
34.	computer program code configured to establish communication in accordance with the configuration	24	This term is not indefinite. No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867 • IBM Dictionary of Computing at WSOU-NEC-0001870 • Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 • Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 • Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 • Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 28 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
35.	means for receiving wireless communication in the apparatus	26	This term is not indefinite. Function: receiving wireless communication in the apparatus Structure/material/acts: For example, apparatus B (1302) of Fig. 13 and process 1 of Fig. 13, and the corresponding portions of the specification at 19:67-20:1 and 20:4-8, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
36.	means for, if the wireless communication includes an inquiry requesting characteristic information, determining characteristic information	26	This term is not indefinite. Function: if the wireless communication includes an inquiry requesting characteristic information, determining characteristic information Structure/material/acts:		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 29 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
			For example, apparatus B (1302) and processes 1 and 2 of Fig. 13, and the corresponding portions of the specification at 19:62-20:4 and 20:8-24, and equivalents thereof.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
37.	means for responding to the inquiry, the response comprising the characteristic information	26	This term is not indefinite. Function: responding to the inquiry, the response comprising the characteristic information		
			Structure/material/acts: For example, apparatus B (1302) and process 2 of Fig. 13, and the corresponding portions of the specification at 20:4-8, and equivalents thereof.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 30 of 33

			U.S. Patent No. 8,103,213
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence
			invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.
			WSOU further reserves the right to rely on positions and evidence cited by NEC.
38.	means for receiving further wireless communication in the apparatus, the	26	This term is not indefinite.
	further wireless communication including a configuration		Function: receiving further wireless communication in the apparatus, the further wireless communication including a configuration
			Structure/material/acts: For example, apparatus B (1302) and process 5 of Fig. 13, and the corresponding portions of the specification at 20:45-48, and equivalents thereof.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 31 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed		
			Claim Constructions and Extrinsic Evidence		
			positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		
39.	means for implementing the configuration in the apparatus	26	This term is not indefinite.		
			<u>Function</u> :		
			implementing the configuration in the apparatus		
			Structure/material/acts:		
			For example, apparatus B (1302) and process 7 of Fig. 13, and the corresponding portions of the specification at 20:49-53, and equivalents thereof.		
			WSOU identifies the following exemplary extrinsic evidence in support of its construction:		
			Dictionary of Computer and Internet Words at WSOU-NEC-0001867 WSOUNES 0001879		
			IBM Dictionary of Computing at WSOU-NEC-0001870		
			 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 		
			Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894		
			Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of		
			the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		

Case 6:20-cv-00927-ADA Document 38-11 Filed 09/27/21 Page 32 of 33

	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence WSOU further reserves the right to rely on positions and evidence cited by NEC.		
40.	means for establishing communication in accordance with the configuration	26	This term is not indefinite. Function: establishing communication in accordance with the configuration Structure/material/acts: For example, apparatus B (1302) and process 8 of Fig. 13, and the corresponding portions of the specification at 20:53-56, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867 • IBM Dictionary of Computing at WSOU-NEC-0001870 • Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 • Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 • Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 • Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.		

	U.S. Patent No. 9,065,918				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		
41.	during the voice call	18	No construction necessary – plain and ordinary meaning. WSOU identifies the following exemplary extrinsic evidence in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		